

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VISA U.S.A. INC., a Delaware corporation,)
Plaintiff,) MISC. No. 05-85 (GMS)
v.) Northern District of California
FIRST DATA CORPORATION, a Delaware) Case No. C-02-1786 JSW-EMC
corporation; FIRST DATA RESOURCES, INC.,)
a Delaware corporation; and FIRST DATA)
MERCHANT SERVICES CORPORATION, a Florida)
corporation,)
Defendants.)
AND RELATED COUNTERCLAIM.)

**NOTICE OF WITHDRAWAL OF MOTION TO COMPEL
AND REQUEST FOR ORDER TO SHOW CAUSE**

First Data Corporation, First Data Resources Inc. and First Data Merchant Services Corporation hereby withdraw their Motion to Compel and Request for Order to Show Cause (D.I. No. 1).

Dated: June 1, 2005
Wilmington, Delaware

By: Elizabeth D. Power
Thomas G. Macauley (ID No. 3411)
Elizabeth D. Power (ID No. 4135)
ZUCKERMAN SPAEDER LLP
919 Market Street, Suite 990
P.O. Box 1028
Wilmington, Delaware 19899-1028
Tel.: (302) 427-0400
Fax: (302) 427-8242

Geraldine M. Alexis (Cal. Bar No.
213341)
Beth H. Parker (Cal. Bar No. 104773)
David P. Chiappetta (Cal. Bar No.
172099)
Thomas S. Clifford (Cal. Bar No.
233394)
BINGHAM McCUTCHEN LLP
Three Embarcadero Center
San Francisco, California 94111-4067
Tel.: (415) 393-2000
Fax: (415) 393-2286

Attorneys for Defendants,
Counterclaimants and Moving Parties
FIRST DATA CORPORATION, FIRST
DATA RESOURCES INC., and FIRST
DATA MERCHANT SERVICES
CORPORATION